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PATENT APPLICATION

**RESPONSE UNDER 37 CFR §1.116
EXPEDITED PROCEDURE
TECHNOLOGY CENTER ART UNIT 2872**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Jiro MINABE et al.

Group Art Unit: 2872

Application No.: 10/659,389

Examiner: A. Lavarias

Filed: September 11, 2003

Docket No.: 117109

For: OPTICAL RECORDING MEDIUM AND OPTICAL RECORDING METHOD

REQUEST FOR RECONSIDERATION AFTER FINAL REJECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the April 11, 2005, Office Action, reconsideration of the application is respectfully requested in light of the following remarks.

Claims 1-18 are pending in this application. The Office Action rejects claims 1, 5-10, 14 and 17 under 35 U.S.C. §103(a) over U.S. Patent No. 6,317,404 to Kawano et al. ("Kawano") in view of U.S. Patent No. 5,987,112 to Psaltis et al. ("Psaltis"). This rejection is respectfully traversed.

The Office Action asserts that Kawano discloses every feature recited in independent claims 1, 5 and 9, except for setting a width of a plurality of tracks according to the order of the diffracted light component so as to be "at least larger than a spread of the Fourier transform image corresponding to a maximum spatial frequency of the signal light", as recited